

JOURNAL
OF THE
Commons House of Assembly
OF
South Carolina
August, 1701.

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1701
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JOURNAL

OF THE

Commons House of Assembly

OF

South Carolina

For the Session Beginning August 13, 1701
and Ending August 28, 1701

Edited by

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Secretary of the Historical Commission of South Carolina

Printed for

THE HISTORICAL COMMISSION OF SOUTH CAROLINA

By the State Company, Columbia, S. C.

1926

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of the said Assembly may be excused for want of Notice or Summons to Meet as aforesaid Wee do hereby Strictly Charge & Command Francis Fidling Sergeant of the Lower house to give perSonall Notice to each and every Member of the said lower house of y^e time of his and their Meeting & with the Tenor of this Proclamation: And wee do hereby Command our High Sheriff of Berkly County to Publish this Our Proclamation in Charles Town in the Said County on y^e 19th: of this Instant July Given under Our hands & y^e publick Seal this Eighteenth day of July Anno 1701

James Moore
Robert Gibbs
Edmund Bellinger
Henry Noble/

Whereas y^e Generall Assembly was called by y^e above proclamation to meet the 13th: of August 1701 this house mett accordingly/¹

The House is Adjourned till to Morrow morning Eight a Clock/

Thursday August the 14th: the House mett according to adjournment./

This House being Sent for by the Upper House the Goven^r: gave these following perticulars to this House's Consideracons Viz^t: (1st) To Consider how many Looke out and places of Defence & What Guards are needfull to be put on y^e Sea Coast to y^e North & South ward of Charles Town And of y^e most fitt places for them./

(2^{ly} To Raise A Fund of Money (if Wanting) to build Such places of Defence to pay Such number of men for manageing y^e Same & for watching as shall be thought Necessary./

3)^{ly} To Provide for y^e better Ordering y^e Militia:/

4)^{ly} To Consider of A more Speedy way to build the Warfe Wall which done, will be A great Defence to Charles Town/

5)^{ly} To finish the Batteries of Great Gunns & to Mount the Same/

(6^{ly}) To Take care for hand Granado's and Shott for the great Gunn's/

¹The first page of the journal, which contains the first part of the proclamation, is missing.

7)^{ly} To Enquire what Perriaugo's Canno's and Boats are (in Case of Invasion) fitt for the publick Service to take care that those be all well fitted with Sails Oars &c - - - And that they the respective owners of them be Obligated to keep them allwayes ready for Service And to bring them fittted to Such perticular places as they Shall be Ordered in Case of an Alarm:/

(8)^{ly} That A Store of provission be allwayes ready for y^e men Shall be Employed in the said Boats and Cano's/

(9)^{ly} To Consider of Ways to make the watch in Charles Town more Usefull./

(10)^{ly} There are none of all these Gentlemen but ought to be done in time of peace and even when no prospect of an Imminent warr.

Lastly) I have One Thing more Gentlemen to recommend to your Serious Consideracons which is y^e French Settlement which is on y^e Sea Coast on y^e Missishipee River — — —

And St^r: Augustin I am Informed that they have made two Settlements not above 120 Miles to y^e Southward of St^r: Augustine They already begin to Incite our Indians to trade with them our Indians are in Love with their liberality and Conversation Itts possible there may A Warr in Europe or that if there be we may not be Invaded But Warr or peace We are sure to be alwayes in danger & under y^e trouble & Charge of keeping out Guards; even in time of Peace so long as those french live so near us to put you in mind of the french of Canada's Neighbourhood to the Inhabitants of New England is to Say Enough on this Subject:/

The House Adjourned till two a clock in y^e afternoon

The House mett according to Adjournment.

The House Entered into Debate upon the Severall Articles the Govern^r Delivered this House in his speech for their Consideration/

on which Debate it was argreed as y^e sence of this house for y^e direction of a Committee to Joyn with a Committee of y^e upper house

1st. That there be three Lookouts between South Edistoe and Ashly River Viz: One on Edistoe Island One on Tom Jones Island and the other on the Folley Island and also that there be A Look out on y^e North Side of River to give advice by water if any Danger and that there be two great

Gunns planted one upon Edistoe Island y^e other att W^m: Magotts & that there be a nother Lookout on the Northward of Sulivants Island

2)^{ly} That there be provission made for the better Ordering the Militia/

3)^{ly} That y^e more Speedy way to build the warfe be Debated with y^e Committee of y^e Upper House./

4)^{ly} That care be taken to finish the Battery's and mount y^e Guns & that y^e Committe to Joyn with the Upper house Confer about y^e most Speedy way of doing y^e Same:

5)^{ly} That we are Informed by Cap^t: Tho: Smith that there are Granado's Sent for by y^e way of Holland but if there can be any other advised by y^e Upper house how Granado's may be procured Sooner this House is ready to Concurr:

6)^{ly} That there be peraugo's Enouff for the Service of y^e Countrey upon an Invasion & that there be power to press y^e Same &c

7)^{ly} And that y^e publick provide Oars & provissions for that purpose/

8)^{ly} That y^e Consideracon of y^e Watch in Charles Town be left to y^e Committe to Confer with y^e Committe of the upper house/ how to make it more usefull:

9)^{ly} That y^e Consideracon how this Settlement be not disturbed by y^e French Settled on y^e Mowela River be left to y^e Consideracon of y^e Committe of both Houses and that care be taken that the Indian Traders do not further Trust Indians And that there be Some Convenient time given y^e Traders to gett in their Debts without oppression to the Natives & what methods are most necessary to secure y^e Natives to our Intrest & also that they consider what Moneyes are necessary to Carry on y^e Charges of these Resolutions - - —

Ordered That Ralph Izard Esq^r: Co^{ll} Stephen Bull, m^r Robert Fenwick, M^r Rob^t: Stevens, & Co^{ll} Tho: Broughton Be a Committe to Joyn with a Comittee of y^e Vpper House to Debate upon the Above Articles Some Time To Morrow and make Report To this House/

Ordered That m^r John Ashby, Ralph Izard Esq^r and Cap^t William Davis be a Committe To Supervise the Acts, And se what are Expired or neare Expiring And Report the Same To this House/

The House Adjourned Till To-Morrow Morning/8 of y^e Clock

In The Morning Fryday y^e: 15th of august 1701/

The House Mett according to Adjournm^t/

Ordered That Cap^t Georg Raynor have Leave To Depart y^e service of this house for his health. And Attend this House againe if be able/

The Con^mitte Appoynted to Joyne wth a Comittee of y^e upper House to debate y^e several articles Delivered this House in y^e Governo^{rs} Speech/ Reports to the House y^e following Resolutions of y^e s^d Committee,

(1) That y^e Look out on y^e north Poynt of y^e Savana River be mannaged by 2 white men & Six Indjans, to Cary y^e allarum To Cap^t Nearnes, who is to allaram all the Adjacent inhabitants and from Thence to Go forward, To m^r Will^m= Edwards' who is to Allarem y^e: People Inhabiting y^e King's Bench &c^{ta}. And there put one of y^e white men a Shoar, and then returne to Cap^t Nearnes and follow his ord^{rs}=, And y^e man Putt a Shoar, who is by m^r Edwards to be Carried to m^r ffripps or Henry Bowers, & from thence to m^r Will^m= Bowers and So on y^e most Expeditionous way Can be to Charles Town, And that from y^e Island be Sent a Canoe to y^e Lady Blakes who is Likewise to Send y^e allaram to Town, The man yt Left y^e first Canoe, to Go to m^r W^m= Wells and to Town; Two gunns are to be Planted at m^r Edwardes's and an other at y^e most Convenient Place on Edistoh Island at m^r Henry Bowers./

(2^{dly}) That there be four Look outs to the Southward of Ashly River and one To the Northward on y^e most Convenient Place

(3^{ly}) That for Better ordering the militia y^e fines be advanced five Shillings Upon every Imediate following Default, Till it Comes To Thirty Shillings, and that the forfeitures, be Given to the Serjents, that Levey them fforfeitures for non Appearance at allarams, 20[£] or Two hours being tyed neck and Heels, and six months, Imprisonment./

(4^{ly}) That there is allready sufficient Care taken for Building the Wharfe, finishing the Batteries & mounting the Gunns, That there is An ord^r: from y^e Assembly to the Receiver to furnish us wth Granades, and shott, And yt he hath Taken Care by all wayes Possible to do it,

(5) That there be Periaugoes Enough for y^e Service of the Country upon An Invasion, & y^t there be power Given To Press the Same

(6) And that the Publick Provide oars & Provisions, & Patridg Shott, for that Purpose/

(7) That Every man watch in Charles Town, in his owne Person otherwise to hier one that is approved by a Certificate und^r the Hands of a Justice of Peace, If any man be found to Sleepe on y^e watch to forfeit 40^s= or Tyed neck and Heeles Two Hours y^e next Morning,

(8) Centry Boxes, and a Briek watch House To Contane about 30 men, The forfeitures, and halfe to the Publick, and the other Halfe to him that Shall Convict y^e man of Sleeping (Before a Justice of Peace)

(9) That y^e Tallabooses & other our Friendly Indjans, be not discourag'd from makeing warr, upon these Indjans that are, our & their Enemies

(10) That a Bill be prepared to Lay a fine upon all those y^t shall hereafter, Trust Indjans, after a Limited time and y^t after time Limited all Debts owing by y^e Indjans shall be forgiven, And that no Contracted Servant or Slave, Shall Go or be Sent among y^e Indjans to Trade, And also that a Judicious man be sent Among the Indjans to inspect into the Regularities of the Traders, wth Power to Send them down, if he Think fitt, And have power to Deside Differances. betweene Trader & Trader, and Between Indjan & Indjan wth ord^{rs} also & power to secure the Natives to our Interest/

The House Adjourned Till 2

of the Clock in the after noone/

In The afternoone/

The House mett According to adjourn^t

Mr Robert Stevens A member of this house being charged by Col^l Thomas Broughton, That he Should Report that this House Snubb'd him for Bringing into this House a Vote of y^e Parliamt of England Relateing to y^e oath of Allegiance &c^{ta}., which he denied

Ordrd: that Ralph Izard Esq^r: & m^r. Rob^t Fenwick, Do Examine m^r John Ash who Spread the s^d Report, what member of this House Gave him Such Information, And if he Denies to name the person, that this House Shall Esteeme him the Author thereof/

The Above members Ralph Izard Esq^r and m^r Rob^t Fenwick Returned the House, Answer that it was m^r Rob^t Stevens a Memb^r of this House/

Mr: Stevens being Called by ye house to answer for the s^d offence
Prayed ye House to pardon ye Same

And The House Accordingly Excused him

The House Entering into Debate of the Report made To this
House by the Comittee Apoynted to Joyne with a Committee
of ye uper House, to debate ye mater of ye Governo^{rs} Speech
Agreed to the s^d= Report, wth these following, Alterations/

Viz^t) That the fines for non Appearance in Arms, five shillings
for the first Default, And for ye next Emediate Default Tenn
Shillings, And So Tenn Shillings for Every Imediate follow-
ing Default, And y^t the Serjents have the forfeitures for non
Appearance; Att Allarams fined five Pounds or be Tyed neck
and Heles Two Hours, & Six months Imprissonm^t:

That further Care be Taken to mount Great Gunns in the
Halfe moone, & in such other Places as by Comission^{rs} Shall
be thought fitt & convenient/

That no Servant or Slave be sent beyond ye Savana Town/

Ordrd: that Co^{ll} Stephen Bull Cap^t Thomas Smith Co^{ll} Tho:
Broughton and m^r Robert Fenwick be a Comittee to Prepare
a Bill for the Better Regulating of ye millitia, and Present the
same to this House/ wth a Clause for Carying on aLarams
and for Apoynting Lookouts, wth a Clause to Impower Comis-
sion^{rs} to mount Great Guns in ye halfe moone and in Such
other places, as they shall Think fitt & Convenient wth: a
Clause also to Impower ye Pressing periaugaus &c^{ta}: & oares
&c^{ta}:

ordrd: That w^m: Smith Esq^r: m^r John Crosskeys & Cap^t John
Hamilton be a Comittee to Prepare a Bill for Settling ye watch
in Charles Town, and in y^t Bill to Repeale ye watch act now
in force/ & Present the Same to this House/

Ordered That m^r Rob^t Hall And m^r John Ashby be a Comittee
to Prepare a Bill, to Regulate ye abuses of ye Indjan Trade &
present ye Same to this House/

Ordered that m^r William Pratt, have leave to depart the service
of this house

The House Adjourned till To Morrow Seven of The Clock
To Morrow Morning/

In The forenoone ye 16th: 1701/

The House Mett according to Adjournment/

The Question is putt whether y^e act for y^e better ordering of Slaves be Revived, or Comitted,

Carried y^t it be Comitted/

Ordrd: y^t m^r James Gilbertson Cap^t/ w^m: Peters. & m^r James Stanyarne be a Committe to Prepare y^e said Bill & present y^e Same to this House/

M^r Robert Stevens haveing on Thursday Last (when y^e House was in an Earnest Debate on other matters) offerd a paper to be Read in this y^t y^e oath of Alegiance ought to be taken by this house/

This Day Ralph Izard Esq^r: moved the House To Take y^e s^d Paper into their Consideration/

Ordrd y^t all y^e Members of this House that are in town do Imediately Attend y^e Service of y^e Same

Ord^r y^t m^r Robt Hall and m^r Robt Fenwick Do Attend y^e uper House and acquaint them y^t a memb^r of this House haveing moved that this house ought to Take y^e oaths and Subscribe the Declaration & Associacon Request their Hono^{rs} Directions Therein/

Reported That The uper House would Take it into their Consideration, And Send This House An Answer

The House Takeing into their Consideration y^e Building y^e halfe moone at y^e East End of Coop^r Streete

The Question is Putt whether y^e Dore of the s^d Halfe Moone be Continued as it is or not/

Caried that it be not Continued as it is/

This House Haveing Taken into Their Consideracon The Building y^e halfe moone, at y^e East End of Coop^r Streete/

ordrd that the Dore in the said halfe moone be Taken down, and built up wth Brick. And that Landing places be Reserved and Secured on Each side y^e s^d Halfe moone for Publick Landings And that this ord^r be sent to y^e uper House for their Concurrance/

Ordrd: that m^r Speaker Signe y^e above ord^r—

The Above order Assented to by y^e uper house

Vpon y^e Motion of m^r Receiver. That Col^l Rob^t Quarry haveing Brought into this Port Tenn H^{dds}= of Tobacco, & not Landing y^e Same/

Ordrd That The s^d Col^l Quarry have Leave. to Export y^e same wth out paying y^e Duty, thereof

The Answer from y^e upper House To the Message This day sent them Relateing to Takeing the oath and subscribeing the Declaracon and Association is as followeth/

Mr: Speaker & Gent:/

Wee have This sessions Taken the Oath of Alegiance and the oath Appoynted by the Statute made in y^e first yeare of King william and Queen Mary, Entituled an act for the Abrogateing y^e Oaths of Supremacie and allegiance & appoynting other oaths, And advise y^t yo^r: House do y^e same; As to yo^r Message Relateing to the Declaration & Association Wee think it necessary that every memb^r of Both Houses, do Subscribe y^e Same, If you can find y^e s^d Declaration & Association as they are appoynted by act of Parliament in England for hitherto upon our best Inquiry we can not Come by any sight of them/

Ja: Moore/

Ordered That The Members of this House Do Attend here on Tuesday morning Next, in ord^r to Take y^e Oath accordeing to an act Entituled an act for y^e abrogateing of y^e oaths of Supremacy & allegiance and appoynting other oaths

The House Adjourned Till

Munday 2 of y^e Clock in the
afternoone/

In the afternoone the 18th=1701/

The House mett According to adjournmt/

The House adjourned Till 7 of y^e Clock To Morrow Morning,

Tuesday in y^e morning y^e: 19th: august 1701/

The House Mett according to adjournment/

Ordrd: y^t the Messenger of this House Do Imediately Sumon all y^e members, that are in town, To Attend the Service of this House, according to Last Saturdays ord^r/.

The Messenger Reports to y^e House y^t he hath Sumoned all y^e Memb^{rs} that are in Town to Attend y^e Service of y^e House according to the above ord^r/

Accordingly the s^d Members, Attended y^e service of the House/ And y^e Members following Took the Oaths, according To An Act made in y^e Kingdome of England Entituled An act, for y^e abrogateing of the oaths of Supremacy & Allegiance, and appoynting other oaths./

Mr: Speaker—	Mr William Elliott	
Nicholas Trott Esq ^r	m ^r William Baker	
Ralph Izard Esq ^r	m ^r : William Bowers/	
Co ^{ll} Stephen Bull	m ^r William Wells	
William Smith Esq ^r	Cap ^t William Peters	
Co ^{ll} : Thomas Broughton	m ^r : W ^m : Edwards	
m ^r : Rob ^t Stevens—	m ^r : James Stanyarne	} according to their profesion sworn
Cap ^t William Davis	m ^r : Rob ^t Fenwick	
m ^r : John Cattle—	m ^r : Tho: Elliott	
m ^r John Ashby	m ^r James Gilbertson	
	m ^r John Crosskeys,	
	Cap ^t John Hamilton	

In The afternone The House mett according to
Adjournment/ The Comittee Apoynted to Prepare a
bill for settling a watch in charles
Town cr. Brought y^e Same into this
House

A Bill for Settling a watch in Charles Town & for Preventing
of fires and nuisances in y^e Same & for y^e secureing Twenty foot
on Each Side of y^e halfe Moone for Publick Landing Places,
Read y^e first Time & past wth amendments
The Comittee Appoynted to Prepare a Bill for y^e: Better order-
ing of slaves, Brought the Same into this House/.

A Bill for y^e Better ordering of Slaves Read y^e first time &
Past wth amendm^{ts}—

Adjourned Till 7 aClock to
Morrow Morning

Wednesday y^e 20th august 1701

In y^e morning y^e House Mett according
To Adjournm^t/

The Comittee appoynted to Prepare a Bill to Regulate y^e abuses
of y^e Indjan Trade,
Brought in to this House the s^d Bill,
Vpon Reading y^e Petition of Nicholas Mayham Praying y^e:
Charity of this House for his Loss of an Indjan Wooman/
Killed by y^e Indians,
Ord^d. That Cap^t Thomas Smith Publick Receiver Do pay y^e
s^d Nicholas Mayham out of the Publick In Six months The

Sum of fifteene Pounds Current Money, And that this ord^r be sent to y^e uper House for their Concurrence/ and that m^r-Speaker Signe y^e said Ord^r/

assented to by y^e upper house,

Vpon Reading y^e Petition of Thomas Booth Clerk of the Church of England, Requesting y^e Registers of Births, Marriages & burials be Conferred on him Ord^r: y^t

The Comittee Apoynted to prepare a Bill for y^e Better settling & Regulateing y^e Millitia & appoynting Lookouts— brought y^e Same into this House/

A Bill for the Better Settling & Regulateing y^e Millitia and Appoynting Lookeouts,

Read y^e first Time & Past wth Amendm^{ts}=

The House adjourned Till 2 of y^e Clock in y^e afternoone/

The House mett according to Adjournment

The Comittee Apoynted to Prepare a Bill for Regulateing abuses in y^e Indjan trade, Brought into the House the s^d Bill, Which was Read y^e first Time & past with amendments/

A Bill for Settling a watch in Charles Town & for preventing of fires and Nusuances in y^e Same, & for y^e Secureing Twenty foot on Each Side of y^e halfe Moone, for Publick landing places, Read y^e Second Time & past wth amendments,

The House adjourned Till to morrow morning Seaven aClock,

In The Morning Thursday y^e: 21st: 1701/

The House Mett According to Adjournm^t

Vpon Motion made by m^r Rob^t Fenwick y^t m^{rs}: Martha Jones might have 30£: allowed her for a negro mann y^t Committed upon a negro woman slave when y^e Late act for y^e Better ord^ring of slaves was Expired,/

The Question is Putt whether a Clause Shall be aded to y^e said act, for Tryall of y^e s^d Negro according to the Directions of y^e s^d act/

Caried in the affirmative

Resolved

That a Clause be added to y^e s^d act for Tryall of y^e said negro according to the Directions of s^d act/

Vpon a Motion made by m^r James Stanyarne That m^{dm}: Elizabeth Blake, haveing a negro man slave which Runn away, and

was Killed by a white man when y^e Late negro act was Expird
might be paid for out of the Publick money/,

Resolved

That y^e s^d Negro be paid for out of y^e Publick Money/

A Bill for the Better Ordering of Slaves Read The Second
Time and Past wth Amendments../

A Message from y^e uper House by Rob^t Gibbes Esq^r:. In the
following Words/

M^r Speaker & Gentl^m=

Wee Do not Understand That you Designe to Raise any money
to pay for those things which you have thought necessary to
be Done for the Safety of this Collony, nor can wee can Con-
ceive how they Can be done without Money, wee suppose you
are not Sensible of the Designes y^e Spanyards have against us,
wee Desire you will Enquier of Cap^t Rhett and m^r Medlicott
what they Know of y^e Designes of the Spanyards & french
against this Place, his most Sacred Majestie hath thought us
in Danger as by his Royal Comand To the Commander in Cheife
to Take care of this his P^rvince is Evident, We doubt not but
you Reflect, y^t y^e french and Spanyards may have notice
of y^e warr betweene y^e Crown of England, and the Crowne
of ffrance and Spaine five or Six Months before we may,
And that it will be to Late to raise money to ffinish Places of
Defence, and to Provide for other Necessaries when y^e Enemy
is in Sight/

Ja: Moore

The said message being Read/ The House Entered into y^e Debate
thereof to consider What Moneys are necessary to be Raised for
Settling y^e Look outs, and for Provideing other necessaries
for the Defence of this Province,

Ordrd:

That The Debate thereof be Referred till y^e after Noone/
Motion Made by a memb^r of this House y^t. Care might be taken
for provideing & Secureing Quantities of Powder & bullets in
Certaine Places in y^e Country in Case y^e Town should be In-
vaded and Taken by a Surprise/

Resolved

That a Barrell of Powder, and a Proportionable Quantity of
Bullets be putt into y^e Possession of y^e Early Prospective Capt

of Each Company for y^e use of y^e Publick only on Emergent,
necessities/

The House adjourned Till 2 of y^e
Clock in y^e afternoone/

In The Afternoone The House Mett according to Adjournm^t=/
Ordrd: That m^r: Thomas Smith Publick Receiver Do Lay his
Acco^{ts} of y^e Publick Treasure before this House on y^e first day
of their next Sitting

This House being Informed That the french and Spanyard have
a Designe to Ataque This Collony if a warr Breakes out/
The House Haveing Debated y^e Same

Ordrd= That the following message be Sent to y^e upper House
Viz^t)

May it Please yo^r Honor^s=

This House being Credibly Informed that the Spanyards if a
warr breaks out Designes to atack this Settlement, Wee There-
fore request yo^r Honor^s: to Joyne wth us in an address to y^e R^t
Hon^{ble}— y^e Lords Prop^{rs}. & Informe them y^e Danger we are in
y^t. they may Give us such Assistance as they shall thinke neces-
sary for y^e Defence & Security of this their Collony/

According to this Mornings ord^r= the House Enter into Debate
on y^e s^d Matter

Resolved

That an Equall Tax of five Hundred Pounds be Raised, for y^e
Present defence of this ¶vince upon Reale and personall
Estates,,

Ordrd: That a bill be Prepared accordingly and brought into
this House/

Ordrd

That Ralph Izard Esq^r. Co^{ll} Thomas Broughton m^r John Ashby
& m^r James Stanyarne be a Comitte, to Prepare the s^d Bill and
bring y^e Same into this House/
ordrd—

That M^r Rob^t Stevens have Leave to depart the Service of
this House upon an urgent occation/

The House Adjourned Till Seaven a
Clock to morrow Morning/

ffryday In y^e Morning y^e 22^d of August 1701/

The House mett according to adjournmt/

A Bill for The Better Settling & Regulateing y^e Militia And for Apoynting Look outs Read y^e Second Time and Past/
Motion Made by m^r Rob^t Fenwick A member of this House That m^r James Stanyarne be Sent to the Yamasee Indjans, wth. a Present and to Give them An Assuareance of our ffrind Shipp, The more to Engage them to our Enterest/

Resolved/

That m^r. James Stanyarne be sent to y^e Yamesees for y^e said Purpose, And y^t y^e upper House be address^t, to Concurr wth this House in the same/

Ordered That The Clerke Do Engrosse y^e Bill for y^e Better ordering of Slaves/

Ordered That the Bill for Settling a watch In Charles Town &c Be Ingrossed by the Clerke/

The House Adjourned Till 2 of y^e Clock in y^e afternoone/

In The Afternoone The House Mett according To Adjournmt/
M^r: Thomas Smith Publick Receiver Laid before this House y^e ffollowing ord^r from y^e uper House/

(Viz^t) In the uper House/

Ordered y^t m^r Thomas Smith Publick Receiver d^o Bring his acco^{ts}= of y^e Publick Treasury to this House on Munday next/

Ja: Moore

Upon Debate of y^e above ord^r/

Resolved/

That The Publick Receiver is Accountable to the Commons only

Fryday Afternoone/

May it Please yo^r Hon^{rs}=/

M^r Receiver haveing Laid before this House yo^r ord^r: to Lay before yo^r Hono^{rs}: y^e acco^{ts} of y^e Publick/

This is to Informe yo^r- Hono^{rs}: It's the resolution of this House that m^r Receiver is Accountable only to y^e Commons/

Ordered y^t m^r Speaker Signe y^e a bove message/

The Commite Apoynted To Prepare a Bill for Raiseing Money for y^e Publick use and Defence of This Province brought y^e Same into this House which was Read The first Time and Past wth Amendments./

A Bill for Regulateing the Abuses in y^e Indjan Trade

Read y^e Second Time and past wth amendments

The House Adjourned Till
Seaven of The Clock To-
morrow morning

In The morning Saturday the 23^d of August 1701/

The House mett According to adjournm^t,

An Act for y^e Better Settling and Regulateing y^e Millitia
Ordrd To be Ingrossed/

Read the Petition of Cap^t John Collins Relateing to an ord^r=
of this house y^e Last Sessions of Assembly Dated the first of
March 1700/1

The Question is Putt whether the s^d Petition Shall be Rejected
or not,

Carried that y^e s^d Petition
be Rejected/

Upon motion made by a Member, that Cap^t John Collins Ought
to be allowed Something out of y^e Publick Money to Defray his
Charges in Persueing y^e Runawayes

The Question is Putt whether the s^d Collins
Should be Allowed anything or not/

Caried that he be Allowed
Something/

The Question is allso Put Whether the said Collins Shall be
allowed 5^{lb} or Tenn Pounds/

Caried That he be allowed 5^{lb}=

A Message from y^e uper House, in Answer to yesterdays Message
Sent them/

Viz^t,

M^r: Speaker and Gen^{lm}=/

Wee Received yo^r Message Relateing to the Publick Rec^{rs}. Acco^{ts}
And the Resolution of this House/

Wee Believe we have Right to See y^e Publick Receivers acco^{ts}
at all Times, when we think fitt, Even then when y^e Parlia-
ment is not Sitting, Then wee may thereby the better Judge
when & how much money may be Wanting for y^e Defence of this
Collony, and Call the Parliament to Raise Such Sums as will
be necessary for the Defence thereof for wthout a perfect Knowl-
edg Knowledge of the state of the Publick Treasury we cannot
tell when it may be Necessary to Call a Parrliament to Suply

y^e want of money for Publick Necessary & Emergent Occasions and may Therefore Thro' Ignorance onmitt y^e Calling of Parliam^{ts} when Necessary as well as Give them the Trouble to Come together When no need Thereof:

You have now Sent up to us a Bill for Raiseing five Hundred & fifty Pounds. Till we see y^e Receivers acco^{ts} wee Cannot Judge whether that Sum will be Enough to Doe what you have at this Time thought necessary to be Done. And therefore thinke it Reasonable y^t y^e Receiver (as we have ordered) Do Bring us his acco^{ts} on Munday Next/
Ja: Moore
Die Sabbati 23^d:

Vpon y^e Debate of y^e above Message it Requireing m^r Receiver to Lay his acco^{ts} for y^r ſ^eusall of them/

Ordrd That m^r Receiver Lay his acco^{ts} of y^e Publick Treasury before y^e uper House only for their Perusiall. on munday next.

The House Adjourned Till 2 of y^e Clock
In y^e afternoone/

In the Afternoone The House Mett according To Adjournment.

A Bill for Raiseing money for the Publick use & Defence of this Province Read y^e 2^d Time & Past wth amendm^{ts}

The House Adjourned Till 8 of y^e Clock
on Munday morning

August 25th: 1701/

Munday In The Morning y^e: House mett according To Adjournm^t

The Act for the Registring Births Mariagis & Burialls being in force

Ordrd: y^t m^r. Speaker Do move the Governo^r to Give Thomas Both Clerk of y^e Church a Comission for y^e s^d: office (of Register)

Whereas m^r John Crosskeyes hath Recomend^d m^r Peter Painter for Receiver of y^e Publick Powder. To this House he being Desirous for y^e Encouragem^t of said Painter, To Relinquish said Place. Sufficent Security being offerd for the Good performance of the s^d office/

Ordered That the s^d Peter Painter be Receiver of y^e Publick Powder. And That This Ord^r be Sent to y^e upper House for y^r Concurrence, And That this ord^r be Signed by m^r Speaker/

Ordrd: That y^e following Message from the Uper House, be Laid upon y^e Board/

In The upper House/

Die Subati

xxiii (augst)

This day Landgrave Joseph Morton Esq^r: made the following motion to this House,/

Whereas there was made and Pass'd at y^e Last Sitting of y^e Generall Assembly An Act Entituled an act, for the Regulateing of y^e Court of Admiralty &c^{ta}: w^{ch}= said Act Being Contrary to the Laws of England Derogatory from and in a Great Measure Destructive of y^e Powers Granted to him by his majesties Commission to be Judge, of y^e Court of admiralty for this Part of y^e Province as well as Dangerous to y^e Interest of y^e Lords Prop^{rs}; That The said act be Repealed/

Vpon which motion it is ordrd: that the s^d Motion and Consideration thereof be Referred to y^e Lower House/

Ja: Moore

The House Adjourned Till 2: in y^e afternoon

In The afternoone The House mett According to adjournm^t= Ordrd. That Co^{ll} Thomas Broughton Ralph Izard Esq^r and m^r Rob^t Hall be Appraisers to Joyne wth Three Appraisers to be Appoynted by y^e upper house to Ascertaine y^e Prises, upon y^e Severall Comodities in which y^e Lords Prop^{rs} Rent is to be paid, according to y^e Directions of an act of assembly, Entituled an act to Ascertaine y^e Prices of Land y^e formes of Conveyances / ./

Orrdrd That The Clerke Ingrosse the Bill to Prevent Dealeing wth Indjans on Trust, And to Regulate other abuses in the Indjan Trade./

A Message from y^e upper House/

(Vizt)

Mr Speaker & Gent.

You in a Paragraph of y^e Money Bill Enact that y^e Publick receiver Shall Render his acco^{ts} to y^e Commons only, If you mean by y^t the uper house Councill Shall not See his Receivers Acco^{ts} when they think fitt, we can not Comply wth you in y^t for y^e Knowledg of the state of y^e Publick Treasury is So Essencially necessary to y^e Governm^t that wthout it wee Cannot

Tell When to call Parliam^{ts}: or how wth Prudence to ord^r almost any publick Buisness/

Sent The following Answer to the uper house

May it Please yo^r Honor^s

It's y^e opinion of this House y^t yo^r Honor^s may and ought to See y^e Publick Receivers acco^{ts} when and as often as you please/ ord^r m^r Speaker Syne y^e above answer, To y^e uper House/ A Message from y^e Vper House/

M^r Speaker and Gent^l—

Wee Thinke Capt Abraham Eve. for whome is Designed a Commission to be Cap^t of the fort, To be a fitter Person Then m^r Painter for Receiver of y^e Publick Powder. And Do recomend him for yo^r Con Currance . Ja Moore
Die Lune

august 25th 1701/

Sent y^e following Answer To y^e upper House

May it Please yo^r Honor^{ts}—

Considering y^e Circumstances of Affaires Wee Humbly Conceive m^r Peter Painter is to be Encouraged to Continue in his Place of Gunner. And wee Know not How otherwise to Encourage him to Continue therein but by Giveing him y^e Powder Receivers Place Therefore Desire yo^r Honor^{ts} Concurrence therein he haveing offered to Give Good & Sufficent Security./ ordrd: y^t m^r Speaker Signe y^e above Answer to y^e up^r house In y^e uper house.

m^r Painter haveing comitted Piracy & not haveing his majesties Pardon for y^e Same, Its resolved he is not fitt for that trust

Ja: Moore/

Ordrd: That the Clerke Ingrosse y^e Bill for Raiseing money for y^e Publick use & Defence of this Province/

M^r Speaker adjourned y^e house
till 7 aClock to morrow morning

Tuesday, In The Morning y^e 26th August

Whereas Mad^m: Elizabeth Blake hath had a negro man Slave Runn a Way and Killed by a white Man When y^e Late Act for the Better ordering of Slaves was Expired./

Ordered That Capt Thomas Smith Publick Receiver Do Pay out of y^e Publick money To Mad^m: Elizabeth Blake The Sum of Twenty Pounds Currant Money for the Slave s^d Slave w^{thin}

Six months after y^e date hereof / And this ord^r to be Sent to y^e Vpper house for their Concurrence./

ordrd That m^r Speaker Signe y^e s^d ord^r/ assented to by y^e upper house,

Orderrd: That The Govern^r be addressed To Take Such Care for Secureing Our ffrindly Indjans to our Interest and from being Drawn from us by y^e frence Settled to y^e Southward of S^t Augustine) as he Shall Thinke most Expedient/

Read an Act for the Better ordering of Slaves The Third Time and Past into a Law/

Ordrd That The Cap^{ts} of Each Respective Companys have Copies of all Acts of Assembly y^t They are Required to Read at y^e head of y^r Companies, from Thomas Rose Clerke of this House and That he be paid for Each act out of the Publick mony by y^e Publick Receiver Seaven Shill & six pence Currant money,

A Bill directing How persons Resideing in this province shall be su^d or impleaded by vertur of an instrument of procuration or letter of Attorney sent from persons Resideing in parts beyond the Seas or left here by persons gon of from this province

Read y^e first time &

past with amendments

Ordered y^t Nich: Trott Esqr. & M^r Robert Stevens be a committee to draw an address to y^e Lrds propos to send us Guns: powder &c for y^e defence of this their province

An Act for Settling a watch in Charles Town & for preventing of fires and Nusances in the Same & for Secureing 20 foot on Each Side y^e halfe moone, for Publick Landing Places, Read y^e Third Time & Past Into a Law/

The House Adjourned Till 2 of y^e Clock

In y^e afternoone/

In The afternoone, The House Mett According to adjournm^t/ Vpon Reading y^e acco^{ts} of y^e Com^{rs}- of y^e Poore Laid before this house, The Same being Debated,

The Question is putt Whether the Ballance of y^e s^d acco^t Shall be paid for out of The Publick money,

Carried in y^e affirmative/

Ordrd: That Ralph Izard Esqr: & m^r Robt Hall be a Comittee to Examine y^e said acco^{ts}: To Know y^e Ballance of y^e Same, and Report the Same to this House./

The Question is Put whether the Message from y^e upper House of Last Saturdays Date, Containeing a Motion of Landgrave Joseph Morton to y^e s^d upper House for Repealeing an Act, Late made for the Regulateing y^e Proceedings of y^e Court of admiralty &c^{ta}: Shall be Taken into the Consideration of this House This Sitting or Nott

Carried In y^e Negative

Vpon y^e Motion made by m^r Receiver Praying the Directions of this House, Whether Cap^t William Rhett ought to have y^e Libertie of Landing Such Rum now on Board His Vessell wthout Paying the Duty thereof

Ordered That said Rhett have Libertie to Land y^e said Rum wthout Paying y^e Duty thereof he first takeing his Oath to Export all y^e s^d Rum in y^e s^d Vessell he Imported y^e Same/
The House Adjourned to 7 a Clock To Morrow morn-

Wednesday Morning y^e 27th 1701/

The House Mett according to adjournm^t/

The Comittee Apoynted to Examine y^e acco^{ts} of y^e Cour^{rs}: of y^t Poore, Reports to the House That they have Examined y^e s^d acco^{ts} and find Due to Ballance y^e s^d acco^t= Twenty one Pound & Seven Shill

ord^r to be Entred here for paym^t of y^e s^d money out of y^e Publick

An Act for the Settling and Regulateing y^e Millitia and Apoynting Lookouts. Read y^e Third Time & Past into a Law./

An Act for Raiseing money for the Publick use and Defence of this Province. Read y^e Third Time and Past into a Law./

An Act to Prevent Dealeing wth Indjans on Trust and to Regulate other abuses in y^e Indjan Trade./ Read The Third Time & Past into a Law/

A message from y^e uper house by Rob^t Gibbes Esq^r: which are as followeth/

Mr Speaker and Gent:

You Say you have Debated our message about the Millitia bill, Butt do not seeme to have Considered it, haveing Hastily Apoynted Two Com^{rs} in that Bill, Even when it was Ingrossed wthout our Knowledge or Approbation, wherein yo^r Proceedings are Contrary to y^e Known usage of Parliaments, and Destructive of y^e Governm^t., Whereby y^e Attendance of y^e Lords Deputies in the Generall Assembly is Rendred utterly useless,

and y^e Powers and Prerogatives wherewth his majestie has Instructed their Lord shippes and they us their Deputies, Dangerously Betrayed—Wee Cannot Rec^d from our Right of noninateing Com^{rs} as well as you, for Such Trusts as are in the Dispose of y^e Generall Assembly, And therefore Expect that yo^u. accept of Such persons, as we shall nominate to Joyn wth those y^t you shall Att any Time nominate/

Ja: Moore

May It Please yo^r Hono^{rs}—

Wee Omitted y^e filling up the Blankes in the Millitia act Till the Third Reading, not out of Designe to Breake our former usage, but of over sight,

ordrd: y^t m^r Speaker Signe y^e above answer,¹

The House adjourned Till 2 of y^e Clock in y^e after noone/

In The after Noone The House mett according To Adjournment/

Read y^e Petition of Mathew Porter &c &c:/

Ordrd: That y^e Consideration of the s^d Petition be Referred to the Next Sitting of this House/

The House adjourned Till Tomorrow Morning Seaven aClock,

Thursday In y^e Morning y^e 28th of August 1701/

The House Mett According To adjournm^t:

Enter a Message from y^e uper House as followeth.²

Ordered That at the Ratification the Acts M^r: Speaker Move the Govern^r: to Vse his Utmost Indever to oblige our frindly Indians to our Intrest and to ord^r: the Malitia Officers to make Lists of all the Inhabitants of this Colony and lay them before this House In Order for perfecting the Listes of the Jury act the next Sitting and that his Hono^r: would with all possible speed Settle y^e= Lookouts

¹This entry is followed by a blank space on one margin of which is written: "here Enter in y^e faire booke all Papers before these following here after in this booke, they Succeeding one y^e other/" As the "faire" journal is not available and the "foul" journal is here being presented these papers cannot be presented or described.

²A blank space was left for it and a marginal note reads: "y^e ans^w^r: after it"

In The upper house,

Mr Speaker & Gent/

Wee find by yo^r Millitia act w^{ch} you Sent down to us Ingrossed That in Case of the p^rsent Governo^{rs}: Death or absence you have Intrusted Capt w^m. Davis & Capt Job Howes wth the same Charge and Power,

Now for as much as y^e names of y^e persons to Succeed y^e s^d Governo^r: in the said Trust were not incerted in y^e act at y^e Seccond Reading. And you have Till the Ingrossing y^e s^d act, Kept us Ignorant of y^e persons you thought fitt to Intrust, and have Intrusted them with out our Approbation, or Takeing any notice of ou^r being Concerned, Wee thinke Such Proceedings Contrary to y^e- Lords Prerogative and to the Constant usage of Parliam^{ts}=

But Because an Act so necessary Should Pass wee Propose y^t Two of y^e members of our House, viz^t Landgrave Joseph Morton and Co^{ll} Robert Daniell Should be Joyned wth the persons, by you Incerted in the said act

august 27th 1701/

Ja Moore

In The Lower House

May it Please yo^r Hono^{rs}: wee have Debated yo^r Hono^{rs}: message Sent us this day Relateing to y^e P^{er}sons Incerted in y^e Millitia act, who upon y^e Death or Absence of y^e Governo^r are Appoynted to Manage y^e Lookouts and to Draw out money out of y^e Publick Treasury for defraying y^e Charges thereof,

It is Resolved by This House That no other P^{er}son be Inserted in the said act but those already mentioned in the Same,/

Ordrd: That m^r Speaker Signe
y^e above Answer./

Ordered That the sum of 21£:7s: the Ballance of y^e Commis-
sion^{rs}: of y^e Poore's acco^{ts} of Disburstment^s be paid, out of y^e
Publick Money by Cap^t Tho: Smith Publick Receiver, And
that this ord^r be sent to y^e upper house for their Concurrence/
and That m^r Speaker Signe y^e Same

Discented to in y^e uper house/
with y^e follow message being sent to this house

Ordrd- that m^r John Crosskeys be Receiver of the Publick
Powder And Then this ore^r be Sent to y^e uper house for their
Concurrence/ and y^t M^r Speaker:

Signe y^e Same/

In y^e Vper House/

Wee Cannot Approve of m^r John Crosskeys for Publick Receiver of Powder, he haveing Dureing this sessions Laid down y^t Trust/

Ja: Mooree

August 27th=1701.

Ordrd That there be Sent to the Yamasees a Present from The Governm^t, One Hundred weight of Powder and one Hundred and fifty weight of Shott wth one Great Gun five Hundred of flints & Two Gross of Knives by m^r: James Stanyarne, who is thereby Required to Cary the Same, And Assure y^e said Yamasees of our freind Shipp, and Assistance, which said Powder & Shott is there to be reserved and Kept by y^e s^d Indjans, for their use, only in Emergent necessity, And m^r Receiv^r is hereby ordered to buy y^e said shott, flints & Knives and Pay for y^e Same out of y^e Publick money; & them Deliver to the said Stanyarne, And that this ord^r be sent to the uper House for their Concurrance

Ordrd: y^t m^r Speaker signe y^e same/

In The upper House./

Wee Concurr wth you To Present y^e Yamasees Indjans wth what you have Thought fitt, Butt thinke it will be better done by the Governo^r and Councill, then as you Propose,, And that the cheife men of y^e said Indjans be Sent for to Charles Town to be Directed how they shall behave them selves in Case of y^e approach of an Enemie, And to be Encouraged by the Govern^t To Continue their frind Shipp & obedience to y^e Same and to Receive Such further orders, & Directions, as, we shall Thinke fitt for y^e Peace & safety of this Collony,

Ja: Moore/

May it please yo^r-Hono^{rs}/

M^r John Crosskeys offered y^e Relinquishing of his place of Powder Receiver, only for the Encouragement of m^r Peter Painter to continue Gunner, but since he is not thought fitt by yo^r hono^{rs}. we thinke it Reasonable y^t s^d Crosskeys should be Continued, therein, he haveing been before apoynted by y^e Governo^r,

ordrd y^t m^r Speaker signe y^e s^d message/

Ordrd: That m^r Johnson Lynch m^r: John Guppell & m^r Peter Girrard Do meete in Charles Town, the 7th Day of October next wth y^e Rest of y^e Assessors for Raiseing money upon y^e Penalty as in an act is Expressed and that m^r John Ashby In-

forme Either of them, and them So Informed to Informe y^e Rest as soone as Possible they may Informe themselves of y^e perticular Estates of Every p^{erson} both Real & p^{ersonall} in the Company Belonging to Major Rob^t Johnson/

Order^d: That m^r Alexand^r: These Chastaigner & m^r John Gendron Do meete in Charles Town, the 7th day of October next with y^e: rest of y^e assessors for Raiseing money upon y^e Penaltie as in an act is Expressed and y^t m^r Lewis Pasquerau Informe Either of them, and them So Informed Do Informe the other as soone as Possible they may Informe themselves of the Perticular Estates both Reale and Personall of Every person in the Santee Company./

Ordered That Lein^t Col^l Georg Dearsley major: John Boone & m^r Richard Beresford Do meete in Charles Town the 7th Day of October next wth the Rest of y^e Assessors, for Raiseing money upon the Penalty as in an Act is Expressed, And y^t m^r Robert Fenwick, Informe Either of them, And them so Informed Do Informe the other as Soone as possible they may Informe themselves of y^e perticular Estates of Boath Reale & personall of Every person Belonging to y^e Company of s^d Col^l Dearsley./

Ordered That Cap^t Georg Smith and m^r Robert Machune Do meete in Charles Town the 7th Day of October next wth the rest of the Assessors for Raiseing money upon the penalty as in an Act is Expressed And That Ralph Izard Esq^r= Do Informe Either of them, & him So Informed Do Informe y^e other as Soone as Possible they may Informe themselves of y^e p^{erticular} Estates both Reale & personall of Every p^{erson} in y^e Company of Cap^t Benjamin Schenckingsh./

Ordrd: That m^r John Stevens & m^r William Canty Do meete in Charles Town the 7th day of October next with the Rest of y^e Assessor^{rs}= for Raiseing money upon y^e Penalty as in an act, is Expressed, And that m^r William Baker Informe Either of them, And them So Informed Do Informe the other as Soone as Possible they may Informe themselves of the p^{erticular} Estates Both Reale and Personall of Every p^{erson} in the Company of Col^l Thomas Broughton/

Ordered That m^r Shem Buttler Cap^t John Godfrey and m^r John Bird, Do meete in Charles Town the 7th day of october next with the rest of y^e Assessors for Raiseing money upon the Penalty as in an act is Expressed, And that m^r= William Elliott Do Informe Either of them, and him So Inform^d: Do

Informe the other as Soone as Possible they may Informe, themselves of the perticular Estates both Reale & Personall of Every Person in the Company of Cap^t Jona: Fitch./

Ordered That Cap^t Alexand^r Parris m^r Lewis Pasquerau Georg Logan Esq^r: and m^r Joseph Boone Do meete in Charles Town y^e 7th Day of October next wth the Rest of y^e Assessors— for Raiseing money, upon y^e Penalty as in An Act, is Expresse^d and y^t m^r Tho: Rose Clerke of this House Informe Either of them, and him so Informed Do Informe the other as Soone as possible they may Informe themselves of y^e Perticular Estates Both Reale and Personall of Every Person in y^e Two Companies Belonging to the Town./

Ordered y^t m^r Edw^d: Drake & m^r: Jos Ellicott Do meete in Charles Town y^e 7th day of October next wth y^e rest of y^e Assessors for Raiseing Money upon y^e penalty as in an act, is Expressed, & y^t m^r John Crosskeys Do Informe Either of them, and him so Informed do Informe y^e other, as Soone as Possible they may Informe themselves of y^e perticular Estates both Reall & personall of Every person in the Company of Cap^t David Davis./

Ordrd y^t m^r Rob^t Seabrooke & m^r John Stanyarne, Do meete in Charles Town y^e 7th day of october next wth the rest of y^e Assessors= for Raiseing money upon the Penalty as in an Act is Expressed, & that m^r James Stanyarne, Inform Either of them, and him so Informed Do Informe the other as Soone as Possible they may Informe themselves of y^e perticular Estates Both Reale & personall of Every Person in y^e Companies, Belonging to Cap^t— William Davis./

Ordered y^t m^r John Whitmarsh and m^r Lawrence Dennis Do meete in Charles Town the 7th Day of octob^r— next wth the Rest of the Assessors for Raiseing money upon the Penalty as in an Act is Expressed, and that Cap^t John Hamilton Informe Either of them, & him So Informed Do Informe y^e other as soone as Possible they may Informe themselves of the perticular Estates Both Reale and personall of Every person in the Company Belonging to Cap^t Tho: Bowers,

Ordered y^t m^r John Dedcott & m^r John Jackson Do meete in Charles Town y^e 7th Day of October next wth the rest of y^e Assessors for Raiseing money upon the penalty as in an Act is Expressed, And that Cap^t W^m— Peters Informe Either of them & them so Informed Do Informe y^e other as Soone as

Possible they may Informe themselves of y^e perticular Estates both reale & Personall of Every Person in the Company of the s^d. Cap^t Peters./

Ordered y^t Cap^t Tho: Nearne & m^r Edmund Dundon D^o meete in Charles Town y^e 7th day of october next wth y^e Rest of y^e assessors for Raiseing money, upon y^e Penalty as in an act is Expressed, and y^t m^r William Edwards Do Informe Either of them & him so Informed Do Informe y^e other as Soone as Possible they may Informe them Selves of y^e perticular Estates Both Reale & Personall of Every Person in y^e Company of Cap^t Thomas Nearne/

August y^e 28th 1701

Whereas Mad^m Elizabeth Blake, hath had a Negro man Slave Run a way & Killed by a White man. When y^e Late act for y^e better ordering of Slaves, was Expired./

Ordered That Cap^t: Tho: Smith Publick Rec^r= Do pay out of y^e Publick money To Mad^m- Elizabeth Blake y^e Sum of Twenty Pounds Currant Money for the said slave wthin Six months after y^e Date hereof, And y^t This ord^r be Sent To y^e upper House for their Concurrence, and y^t m^r Speaker signe y^e Same/

Concurred wth in y^e upper House.

Ja Moore/

Ordered That James Moore Esq^r: Governo^r= As a Present from y^e Govern^t: Do And is hereby Requested to Present y^e Jamasee Indjans wth one Hundred w^t of Powder, one Hundred fifty w^t of Shott wth one Great Gunn, flive Hundred flints and Two Gross of Knives, And Assure y^e said Yamasees of our frindShipp and Assistance, And allso Informe them that the s^d. Powder and Shott is by them to be reserved and Kept for their use onely, In Eminent necessity, And the Powder Receiver is hereby ordrd= to Deliver y^e s^d Powder to y^e said Governo^r: when he Shall be thereunto Required by an ord^r- under his hand, And y^e Publick Receiver is allso ordrd= to Buy the s^d Shott flints and Knives and Pay for the Same out of y^e Publick Money and Deliver them for y^e use aforesaid to the said Governo^r: when he shall be Required by an ord^r under his hand And that this ord^r be Sent to y^e upper house for their Concurrence, And that m^r Speaker Signe the same/

Assented to in the uper House

Ja: Moore

Ordered That y^e Powder Receiver Do Deliver to Each Com^{dr}: in Cheife of Each Respective Company (The Town Companies only Excepted) fifty Pounds of Powder, when he shall be there unto Required by an Ord^r und^r y^e hand of y^e Hon^{ble}= James Moore Esq^r Governo^r: which Powder Shall by Each Capt be kept and Reserved for Emergent Necessity, And Shall be Accountable To the Generall Assembly for the Same, And that this ord^r. be Sent to the uper House for their Concurrance/ And that m^r Speaker Signe the Same./

Assented to in the upper house/

Ja: Moore

Ordered That the publick Receiver Do Buy Six Hundred and fifty weight of fusee Bullets, And Deliver to Every Commander in Cheife of Each Respective Company (The Town Companies only Excepted) fifty Pound weight of s^d Shott, when he shall be thereunto Required by an Ord^r und^r y^e hand of y^e Hon^{ble}= James Moore Esq^r Governo^r: which said Shott shall by Each Cap^t= be Kept and Reserved for Emergent Necessity, & Shall be Accountable to the Generall Assembly for the Same And that this ord^r be Sent to the uper house for their Con: Currance, And that m^r Speaker Signe y^e Same/

Assented to in y^e uper House/ Ja: Moore/

Ordered That Cap^t Thomas Smith Publick Receiver Do Provide a Sufficent Quantity of match, Granada Shells, & Sizeable Shott, for y^e Great Gunns, and five Hundred weight of Patrigg Shott and Eight Great Gunns, about Eight Thousand weight, and allso 25 p^r of oares, 13 feete Long, and 25 p^r: of oares fiftene feete Long to be Laid up in Charles Town for the use of the Publick, And Likewise he is here by ordered To Provide Twelve Barr^{lls} of Beefe and Eight Barr^{lls} of Porke, which said Beefe and Porke, Shall Every Six months be Sold by the Receiver & y^e Same Quantity againe Provide and Keepe allwayes in Charles Town, which s^d Granada Shells, Great Shott, Match, Gunns, Oares, Beefe & Porke, Shall be paid for out of the Publick by s^d Receiver not Exceeding Two hundred and fifty Pounds, And that this Ord^r be Sent to the upper House for their Concurrance and that m^r Speaker Signe y^e Same/

Assented to in y^e upper House Ja: Moore

Ordered That the Powder Receiver Do Deliver to m^r w^m-Edwards and m^r Henry Bowers, fifteen Pounds, w^t of Powder Each when he Shall be thereunto Required by an Ord^r und^r y^e hand of y^e Hon^{ble}= James Moore Esq^r Governo^r: which

Powder by them Shall be Kept and made use of to allaram y^e neighbour hood in an Invasion and Shall be accountable to the Gener^{ll}= assembly for y^e Same, And that this Ord^r be Sent to y^e uper house for their Concurrence, and that m^r Speaker Signe the same/

Assented To in the Vper House, Ja: Moore,
Ordered That the Publick Receiver send or Deliver to William Edwards one Great Gunn, and to m^r Henry Bowers one Great Gunn moore, by Them to be Kept at their Houses to Allaram y^e Neighbourhood upon an Invation or Time of Eminent Danger, And this ord^r To be Sent to the uper house for their Concurrence, and that m^r Speaker Signe y^e Same,

Assented to in the upper House/

Ja: Moore

Ordered that the Commission^{rs}, of the fortification, and Publick front Lines or any Three of them Do build a brest worke, at the White Poynt and a Platt forme thereon to Putt, fitting to mount Six Gunns, allso a Good Substantiall Wall to be built the Breadth of the Streete against m^r- Tradds House, wth Angles to Cleare the Two Batteries, and a Platt forme theron to putt, fitt to mount fower Gunns, Also that the Comission^{rs}: or any three of them have full Power to finish the halfe Moone, And mount what Gunns they thinke Convenient thereon, And they or any three of them have power and are hereby Impowered, und^r their hands to Draw, as much money out of the Publick Treasury as Will Defray y^e Charges of this Worke; And that this ord^r be Sent to y^e uper house for their Concurrence; And that m^r Speaker Signe the Same./

Concur'd wth in the uper House Ja: Moore/

Whereas The Moneys Appropriated for Defraying the Charge of the Look outs will not be Leaveyed before the first of January next, Therefore it is ordered y^t the Hon^{ble} James Moore Esq^r Governo^r: have Power and he is hereby Impowred in the Meane Time To Draw out of y^e Publick such Sum or Sums of money for the Defraying y^e Charges of y^e Lookouts, and Buying Cannooes to Attend the Same/ And that this ord^r be Sent to the uper house for their Concurrence And that m^r Speaker Signe the Same,

Assented to in the uper house, Ja: Moore/

Ordered That the Cap^t: of Each Company have Copies of all y^e acts of Assembly, That they are Required to Reade at the

head of their Companies, from Thomas Rose, Clerke of this House and that the Publick Receiver Pay out of the Publick money to the s^d Clerk for Each act, the Sum of Seaven Shillings and Six pence; And that this ord^r be Sent to the uper house for their Concurrence/ And that m^r Speaker Signe y^e Same assented to in the upper House/

Ja: Moore/

Ordered That the Commission^{rs}- of the Poore Call into their hands, Such Legacies as have been Given to the Poore, and have not been Appropriated to Perticular Poore by y^e Testators/

And that they pay themselves the Sum of Twenty one Pounds and Seaven Shillings, being y^e ballance of their acco^{ts} and Disburstments on the Poore/, And That this ord^r be sent to the uper house for their Concurrence And that m^r Speaker Signe the Same/

Assented to in the upper house Ja: Moore

Ordered that the Publick Receiver Pay unto Thomas Rose Clerke of the house of Commons, The sum of Tenn Pounds for his Attendance on the said House and Coppying and Ingrossing sever^{ll} acts of Assembly, And the Writeing faire the Journall of y^e Comns This Session; And that this ord^r be Sent to the upper House for their Concurrence, And that m^r Speaker Signe y^e Same/

Assented to in the upper house Ja: Moore

Ordered That Capt Thomas Smith Publick Receiver, Do in Six months from this Day, Pay unto Cap^t John Collins, for and in Consideration of his Care in Apprehending y^e Runawayes,, The Sum of five Pounds,, And that this Order be Sent to y^e: upper House for their Concurrence, and that m^r Speaker Signe y^e Same/

Assented to in y^e: upper House: Ja: Moore

Ordered. The Publick Receiver Do Pay out of y^e Publick money to m^r Francis Fidling messenger of this House y^e Sum of five Pounds, and that this ord^r be Sent to the upper House for their Concurrence/ and that m^r Speaker Signe y^e- Same./

Assented to in y^e upper house Ja: Moore-/

Ordered that The Publick Receiver Do Pay out of the Publick Money to m^{rs}=Maverick the Sum of ffourty Shillings, and that this order be sent to the uper House for their Concurrence and that m^r Speaker Signe the Same/

Assented to in the upper house/ Ja: Moore/

Ordered that m^r John Crosskeys be Receiver of the Publick Powder and that This Ord^r be Sent to y^e upper House for their Concurrence & That m^r Speaker Signe the Same./

In The upper House/

Wee Do not Approve of m^r Crosskeys for Powder Receiver & Do Desire y^t you would Nominate more then one for our Approbation/

Ja: Moore/

Ordrd: That Capt^t Alexander Parris be Receiver of y^e Publick Powder, And That this Ord^r be Sent to y^e Vpper House for their Concurrence, And y^t m^r Speaker Signe the Same/

Mr. Speaker & Gent^t: Wee have Consulted y^e Lords Prop^{rs} Instructions and Rules of Governm^t., And finde that nothing Can have the force of Law, which is not Ratified und^r y^e Hands and Seales of y^e Govern^r: and Three or more of y^e Lords Prop^{rs} Deputies./

Ja: Moore/

In The upper House/

Ordrd=That Col^l: Bulls Sallary do Commence at his Departure from y^e Savana Town on his Journey to the Tallabooses &c^{ta}: And that this Order be Sent to y^e Lower House for their Concurrence/

Ja: Moore/

Thursday august 28th 1701/

Assented to in the Lower House/ Job Howes Speak^r—

Mr Speak^r: & Gent^t./ The Little money you have Raised & y^e things we have thought Necessary to be done for y^e Defence of y^e Country To Gether wth the Consideration of y^e Greatness & neareness, of the Danger Expected, makes us beleive That to adjourne to y^e Seccond Wednesday in novemb^r— (the time adjourned to the Last Sessions before this) will be more for y^e Safety of the Collony, then to adjourne to a Longer time/ And if then wee thinke fitt we Can Adjourne to a Longer time

Ja Moore/

May it Please yo^r Hono^{rs}/

Wee have Considered yo^r Hono^{rs}— Message, Relateing to our adjournment, Therefor think it not Ill Convenient to Adjourne to y^e first Wednesday in January next, Knowing that if yo^r Hono^{rs}—thinke it necessary the Assembly Should Sitt before that time, you Can by yo^r Proclamation Call them, before that Adjournm^t./

South Carolina/ To The R^t Hon^{ble}= John Earle of
Bath Pallatine, and the Rest of the True and Absolute Lords
and Proprietors of the Province of Carolina./

May it Please yo^r= Lord Shippis

Wee y^e Representatives of the People now mett at Charles Towne
for the south West Part of the Province of Carolina, Haveing
Just Cause to feare that a Warr is allready, or Imediately
Will Breake out, Betweene the King dome of England and y^e
Confederates thereof, And the Kingdome of France and Spaine;
And This yo^r Lordshipps Province being a frontier To the
Spaniards and French Who have Promised To attack us, And
have lately Attempted by their Spies To, Withdraw the Ya:ma:
See Indjans from us, and so to Envite the other Indjans to
make warr upon us; And this yo^r Lord Shippis Province being
alltogether Incapaccitated for a Defence for Want of Sufficent
armes and amunition./

Wee Do Humbly pray yo^r Lordships That you would be
pleased to Send to this Province, Six Gunns of Twenty four
Pounders, Six Gunns of Eighteene Pounders, Six Gunns of
Twelve Pounders, Six Small feild Peices, Tenn Small Patlara-
roes, Twenty Blunder bushess, Two Hundred ffusees, Twelve
Dozen of Hand Granadoes, Two Hundred Cutlashes, Five Hun-
dred Weight of match, Powder, Great Shott and Fusee Bullets
Proportionably./

Without which it will be Morrally Impossible for us to make
our Defence in Case any Attempt be made against us; And as
wee are und^r yo^r Lord Ships Protection Wee [Here the petition
breaks off suddenly at the bottom of a page. The rest of the
volume has been lost. When Mr. John S. Green copied the
volume about 1849 he found the same pages missing that are
missing now.]

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